



**Town of Plaistow, New Hampshire**  
145 Main Street, Plaistow NH 03865  
Phone: (603) 382-8469

## **PB Minutes 02/17/16**

### **PLANNING BOARD MINUTES February 17, 2016**

**Call to Order:** 6:30 p.m.

**ROLL CALL:** Tim Moore, *Chair*  
Charlie Lanza, *Vice Chair*  
Gennifer Silva,  
Shem Kellogg, *Excused*  
Steve Ranlett, *Selectman Ex-Officio, Excused*  
Geoffrey Adams, *Alternate*  
Laurie Milette, *Alternate*

Also present: Greg Jones, *Town Planner* and P. Michael Dorman, *Chief Building Official*

***G. Adams was appointed as a voting member for S. Kellogg.***

#### **Agenda Item 2: Minutes of February 03, 2016 Meeting**

***G. Silva moved, second by C. Lanza, to approve the minutes of the February 03, 2016 meeting. There was no discussion on the motion. The vote was 4-0-0 U/A.***

#### ***Agenda Item 3: Public Hearing: Review of PB16-01: A Site Plan Application submitted by Taurus Plaistow Investors Limited Partnership to consider a Proposed Shopping Center Re-Development at 3-9 Plaistow Road, Tax Map 24, Lot 38 in the Commercial I District.***

Present for the application were: Michael Malynowski of Allen & Major Associates, Inc.; Edward Vydra of Taurus Plaistow Investors Limited Partnership (Taurus) and Mark Donohoe of Select Real Estate Consulting, Inc.

G. Jones noted that the plan set that was presented at the meeting this evening was not the plan set that CLD had reviewed and based their most recent comments on.

M. Malynowski explained that there had been some back and forth with CLD and they have updated the plan (presented at this meeting) based on the outcome of those discussions.

G. Jones added that he didn't get the applicant's response until earlier in the day so the updates were not incorporated into his staff report.

M. Malynowski noted the following updates:

- There was now a note regarding storage of hazardous materials using Best Management Practices (BMPs). He added that this would be most relevant to NTB (National Tire and

Battery).

G. Jones offered that the Town had a Source Water Protection Plan (SWPP) and NTB would be added to that program.

E. Vydra added that there was language in their lease agreement with NTB and requirements for insurance with reference to storage of any materials.

- Pavement that needs to be reclaimed or replaced where there are sawcut lines

M. Dorman noted that there were sections, approved by the Planning Board, that were only brought to binder and they would need to get final topcoat of pavement.

M. Malynowski added that some of those areas will now be building.

- Note regarding Aquifer Protection District has been added.
- Hydrant location, detail and protective bollards have been added
- The Scribner's note regarding the ISDS (Individual Sewage Disposal System) iron pipe has been corrected
- The issue of erosion controls adjacent to the septic system has been addressed
- Center straight and turn painted ground arrows (in the main drive aisle exiting the site) will be restriped and re-signed for clarification (Not a CLD item, but part of the NHDOT traffic study review)

G. Jones noted that CLD suggested that any previously granted variance and/or waivers should be added to the plan.

- NAV88 datum was used for this application, where Planning Board regulations call for NGVD29.

There was discussion about the need to update the regulations to use NAV88, which will be included in the next round of site plan/subdivision regulation updates.

G. Jones noted that the Town Manager had approached him about requiring additional landscaping and pedestrian amenities to make the site more aesthetically pleasing and safe. He added that the Town Manager's concern is that there is a lot of pavement on the site and he was suggesting that there be additional landscaping and pedestrian amenities in return for the granting of some of the waivers.

E. Vydra explained that there were some areas that were not yet landscaped because they weren't through with developing the site. He said there would be additional planting areas along the drive aisles.

M. Malynowski pointed out some of new landscaping areas on the plan. He noted that the Fire Chief had requested that they not use bark mulch.

G. Jones offered that perhaps there could be a reduction in parking in exchange for additional landscaping.

E. Vydra noted that there wasn't much they could do for additional landscaping along Route 125.

G. Jones reminded that the fence needed to be re-established on the abutting property line (with 13 Plaistow Rd).

M. Dorman offered that once the landscaping was completed the fence wouldn't even be visible.

There was discussion about landscaping over the septic. It was noted that there could be grass, but no trees could be planted as it would interfere with the functioning of the system.

M. Malynowski requested that additional landscaping be handled administratively so that they wouldn't have to come back to the Planning Board just for that.

M. Dorman suggested that there be pedestrian crosswalks to connect the different buildings on the site as well as additional stop signs for pedestrian safety.

There was discussion regarding the current traffic on the site and where there could be improvements to increase pedestrian safety. It was noted there would be a narrowing on the main row from the entrance.

G. Jones noted that while the plan may meet the letter of the regulations it was equally important it meet the spirit of the town's Master Plan.

There was discussion about the closing off of the immediate left-turn into the Papr Gino's parking area from the main drive. This would provide an additional landscaping area.

M. Malynowski reiterated his request to be able to work with staff to come to an agreement administratively to provide additional landscaping and pedestrian amenities.

T. Moore suggested that there was enough information provided to accept this plan as complete and start the 65-day clock.

E. Vydra offered that he was hoping to get at least conditional approval at this meeting. He noted that they had addressed all of CLD comments and they would be discuss additional input regarding landscaping and pavement markings. He added that some of this could change with the footprint of the final building in the site once they had secured a tenant.

***C. Lanza moved, second by G. Silva, to accept the site plan amendment at 3-9 Plaistow Road as complete. There was no discussion on the motion. The vote was 4-0-0 U/A.***

#### Waivers:

The Planning Board reviewed and discussed the following waiver requests:

Article III, §230-23A – to waive the requirement that there be a ten (10) foot buffer between this Commercial I (CI) use and the CI use at 13 Plaistow Rd

***G. Silva moved, second by G. Adams to waive Article III, §230-23.A. There was no discussion on the motion. The vote was 4-0-0 U/A.***

Article I, §230-14.1.HH – to waive the requirement to submit a separate landscaping plan.

***C. Lanza moved, second by G. Adams to waive Article I, §230-14.1.HH. There was no discussion on the motion. The vote was 4-0-0 U/A.***

Article I, §230-14.S – to waive the requirement that the Plan be submitted with a 1"=50' scale.

T. Moore suggested that this should be on the list of items to discuss for possibly amendment. He noted that as long as a plan could be reviewed in a reasonable fashion it shouldn't matter what the

scale is.

***C. Lanza moved, second by G. Silva to waive Article I, §230-14.1.S. There was no discussion on the motion. The vote was 4-0-0 U/A.***

Article II, §230-11.B(2) – to waive requirement that storm drainage of the site be designed to withstand a 25 year storm.

M. Malynowski noted that a full drainage report was submitted and reviewed as part of their last plan amendment. He noted that only a single pipe was being relocated as part of this current plan amendment and there were no changes to impervious areas.

***C. Lanza moved, second by G. Silva to waive Article II, §230-230-11.B(2). There was no discussion on the motion. The vote was 4-0-0 U/A.***

Article III, §230-23.B(3)(b)[3](b) – to waive rear buffer strip requirement.

***C. Lanza moved, second by G. Silva to waive Article III, §230-23.B(3)(b)[3](b). There was no discussion on the motion. The vote was 4-0-0 U/A.***

The Board discussed whether or not they were ready to approve this amended site plan and if so what conditions would be part of that approval. It was noted that there were still a couple of state permits pending. Mr. Malynowski reported that they had already received their amended Alteration of Terrain (AoT) permit and had noted it on the plan.

C. Lanza questioned if there needed to be a note about the water supply should there be a heavy use, such as a restaurant, in the new building.

M. Malynowski noted that they would still be below the draw for the wells on site.

There was additional discussion regarding the landscaping and pedestrian amenities. The applicants reiterated their request that any changes be handled administratively and pledged to work cooperatively to satisfy staff. Changes to the submitted site plan would require the applicants to return to the Board for approval. It was also suggested that any changes could be noted on an as-built plan, which would not require them to return to the Planning Board.

***C. Lanza moved, second by G. Silva, to approve the site plan amendment at 3-9 Plaistow Road with the following conditions:***

- ***Receipt of NHDOT Driveway Permit***
- ***Receipt of NHDES Septic Approval***
- ***Work with Staff to agree upon additional landscaping and pedestrian access features.***

***There was no discussion on the motion. The vote was 4-0-0 U/A.***

C. Lanza asked if there was any time line to start the project.

E. Vydra replied that their tentative order of events is:

- Relocate Wireless Zone

- Demolition of 4,400 sq ft of building and do site prep
- NTB to file for their building permits, which he anticipates will happen in the next sixty (60) days

#### **Agenda Item 4: Communications and Updates**

The Board reviewed proposed language for Site Plan and Subdivision Regulation changes:

**§ 230-14.1. Data requirements for all districts.** [Amended 11-20-2002; 4-21-2004; 3-2-2005; 12-7-2005]

CC. Existing and proposed septic systems (and proposed replacement area) and wells (with protective radius for proposed) located on the site *and for septic and wells* on abutting properties *that are within 100 feet of the subject property.*

##### Discussion:

There was discussion regarding how to change the wording to cover instances when there is a large parcel and the project may only be in a small section of that parcel so information regarding wells and septic systems in an opposite corner of the parcel would not be impacted. It was noted that the size of the parcel wasn't the determining factor but the distance and location of wells and septic systems that could potentially be affected. T. Moore offered to work on such language.

HH. Landscaping plan that complies with all requirements of the Town's landscaping regulations.

##### *Exception for Condominium Conversion*

II. Lighting plan that complies with all requirements of the Town's lighting regulation. *Exception for Condominium Conversion*

##### Discussion:

There was discussion as to whether or not there could be other examples of when it wouldn't be necessary or beneficial to require a separate lighting and/or landscaping plan. It was suggested that amendments to site plans where there was already a lighting or landscaping plan on file might be excepted.

##### Additional Items:

T. Moore reiterated his earlier comment about the required scale of plans. He noted that it used to be 1"=40' to be more compatible with the tax maps, but with digitizing that was no longer necessary. He repeated that as long as the plans could be read and reviewed reasonably, the size of the scale wasn't that important.

##### **Other Business:**

M. Dorman noted a letter he had sent to 97 Plaistow Road regarding an unregistered delivery truck that has been on the property for a long time.

There were no additional matters before the Board and the meeting was adjourned at 7:30 PM.

Respectfully Submitted,

Dee Voss  
Recording Secretary